

July 31, 2025

**VIA ECF**

Hon. Ona T. Wang  
U.S. Magistrate Judge for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

RE: Request for Confidential Settlement Conference in Lieu of Further Briefing; *In Re: OpenAI, Inc., Copyright Infringement Litigation*, No. 1:25-md-3143, This Document Relates To: *The New York Times Company v. Microsoft Corp., et al.*, No. 1:23-cv-11195

Dear Judge Wang:

OpenAI and the News Plaintiffs (the “Parties”) jointly request that the Court convene a confidential settlement conference the week of August 4, 2025 in lieu of further briefing or oral argument on the motions filed yesterday relating to the preserved data sampling protocol. See ECF 398 and ECF 403.

While the Parties are available at the Court’s convenience, the Parties suggest that the conference occur on August 7, 2025. Because counsel for OpenAI is unable to attend in person due to a previously scheduled travel commitment, the Parties request that the conference be held remotely via Zoom.

Respectfully submitted,

KEKER, VAN NEST  
& PETERS LLP

ROTHWELL, FIGG,  
ERNST & MANBECK, P.C.

/s/ *Edward A. Bayley*<sup>1</sup>

/s/ *Jennifer B. Maisel*

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Edward A. Bayley  
*On behalf of OpenAI*  
*Defendants*

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Jennifer B. Maisel  
*On behalf of News Plaintiffs*

cc: All Counsel of Record (via ECF)

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<sup>1</sup> All parties whose electronic signatures are included herein have consented to the filing of this document.